

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT GREENEVILLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

RICCO SAINÉ

Defendant.

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No. 2:21–CR–109

**ORDER**

This matter is before the Court to consider three Reports and Recommendations of the United States Magistrate Judge dated October 27, 2022. [Docs. 109, 110, 111]. In the first Report and Recommendation, the Magistrate Judge recommends that Defendant Ricco Sainé’s (“Defendant”) Motion to Exclude [Doc. 26] be denied without prejudice. [Doc. 109, at 1]. The second Report and Recommendation recommends that Defendant’s Motion to Suppress Evidence Seized in Motel Room Search [Doc. 79] be denied. [Doc. 110, at 1]. The final Report and Recommendation [Doc. 111] recommends that the Court deny Defendant’s Motion to Suppress Jail Call [Doc. 28]. Neither party has filed objections to the recommendation within the time allowed. See Fed. R. Civ. P. 72.

After consideration of the record as a whole and after careful consideration of the Reports and Recommendations of the United States Magistrate Judge, and for the reasons set out in the Reports and Recommendations which are incorporated by reference herein, it is hereby **ORDERED** that the three Reports and Recommendations [Docs. 109, 110, 111] are **ADOPTED** and **APPROVED**. Defendant’s Motion to Exclude [Doc. 26] is **DENIED WITHOUT PREJUDICE**. Defendant’s Motion to Suppress Evidence Seized in Motel Room Search [Doc. 79] is **DENIED WITH PREJUDICE**. Defendant’s Motion to Suppress Jail Call [Doc. 28] is

**DENIED WITH PREJUDICE** with respect to whether Defendant's call was recorded illegally and **DENIED WITHOUT PREJUDICE** as to whether the contents of the call are admissible under the Federal Rules of Evidence.

So ordered.

ENTER:

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s/J. RONNIE GREER  
UNITED STATES DISTRICT JUDGE